

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

THOMAS WILLIAM SINCLAIR
RICHEY,

Plaintiff,

v.

ROY GONZALEZ, et al.,

Defendants.

CASE NO. C14-5236 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 17), and Plaintiff Thomas William Sinclair Richey’s (“Richey”) objections to the R&R (Dkt. 18).


On June 23, 2014, Judge Strombom issued the R&R recommending that the Court deny Richey’s request for a temporary restraining order and revoke his *in forma pauperis* because he has more than three strikes against him. Dkt. 17. On July 2, 2014, Richey filed objections. Dkt. 18. The Court has reviewed the objections and finds them wholly without merit. For example, the Department of Corrections policy of regarding the contested mailings has been found to be constitutional. Richey’s contention that his

1 | allegations present a distinguishable claim is not supported because the policy was upheld
2 | to cover all mailings to third parties regardless of the addressee.

3 | Therefore, the Court having considered the R&R, Richey's objections, and the
4 | remaining record, does hereby find and order as follows:

- 5 | (1) The R&R is **ADOPTED**;
- 6 | (2) Richey's motion for a TRO is **DENIED**;
- 7 | (3) Richey's *in forma pauperis* status is **REVOKED**; and,
- 8 | (4) If Richey fails to pay the filing fee no later than September 13, 2014, the
9 | Clerk **SHALL DISMISS** this action without prejudice.

10 | Dated this 13th day of August, 2014.

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13 | BENJAMIN H. SETTLE
14 | United States District Judge

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